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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of : **Confirmation No. 9975**
Peter HEROLD et al. : Attorney Docket No. 2006_1373A
Serial No. 10/593,460 : Group Art Unit 1626
Filed September 19, 2006 : Examiner Robert H. Havlin

5-AMINO-4-HYDROXY-7-
(1H-INDOLMETHYL)-8-
METHYLNONAMIDE DERIVATIVES AS
RENIN INHIBITORS FOR THE
TREATMENT OF HYPERTENSION :

RESPONSE TO REQUIREMENT FOR RESTRICTION AND ELECTION OF SPECIES

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Responsive to the Office Action of May 8, 2009, constituting a Requirement for Restriction between (I) claims 1-7 and (II) claims 8-10, Applicants hereby elect the subject matter of Group I, i.e. claims 1-7.

The Examiner has also required an Election of Species, in response to which Applicants elect compound 36 VV. Referring to formula (II) on page 41 of the specification, this species would be the compound where R¹ is the residue of compound 36 on page 35 and NHR⁵ is the residue of formula VV in the table on page 41.

All of claims 1-7, elected in response to the restriction requirement, read on the elected species.

Applicants emphasize that the foregoing elections are made while reserving their rights under 35 U.S.C. §121 to file a divisional application for the non-elected subject matter.

THE COMMISSIONER IS NOTIFIED
TO CHARGE ANY DEFICIENCY IN THE
FEES FOR THIS PAPER TO DEPOSIT
ACCOUNT NO. 23-0975

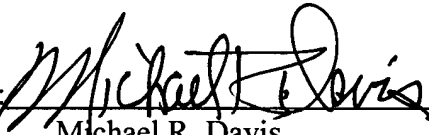
Applicants also request rejoinder of the non-elected claims upon allowance of the elected claims.

Action on the merits is requested.

The Commissioner is authorized to charge any deficiency or to credit any overpayment associated with this communication to Deposit Account No. 23-0975, with the EXCEPTION of deficiencies in fees for multiple dependent claims in new applications.

Respectfully submitted,

Peter HEROLD et al.

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